

DIRECT TESTIMONY  
OF  
STACY ROSS  
SAFETY & RELIABILITY DIVISION  
ILLINOIS COMMERCE COMMISSION

NG-911, Inc.

Application for a Certification of Authority to Operate as a 9-1-1 System Provider in the  
State of Illinois

and

Application for a Certificate of Local, Interexchange Authority to Operate as a Reseller  
and/or Facilities Based Carrier of Telecommunications Services in all Areas in the State  
of Illinois

Docket Nos. 12-0093/0109 Consol.

June 13, 2012

1   **Q.     Please state your name and business address.**

2   A.     My name is Stacy Ross, and my business address is 527 East Capitol  
3           Avenue, Springfield, Illinois 62701.

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5   **Q.     What is your occupation?**

6   A.     I am the 9-1-1 Program Assistant for the Safety & Reliability Division of the  
7           Illinois Commerce Commission ("Commission").

8  
9   **Q.     Please describe your educational and occupational background.**

10  A.     I graduated from Eastern Illinois University with a Bachelor of Science  
11          degree in Accounting in 1992. In May of 2000, I earned a Master's Degree  
12          in Legal Studies from the University of Illinois - Springfield. I joined the  
13          Commission in May of 1992. I worked in the Management Studies Division  
14          of the Commission for three years conducting management audits of  
15          telecommunications, gas and electric utility companies. In April of 1996, I  
16          transferred to the Telecommunications Division - Rates Section. My job  
17          duties include the review of cost studies filed with telecommunications  
18          companies' tariff filings. In May of 2000, I transferred to my current position  
19          as the 9-1-1 Program Assistant in the 9-1-1 Program of Telecommunications  
20          Division, which has since become the Safety & Reliability Division. I am  
21          responsible for overseeing the formation and implementation of municipal  
22          and countywide 9-1-1. I also review applications for new 9-1-1 systems and  
23          modifications to existing 9-1-1 systems and participate in the hearing

process to ensure that the applicant and telecommunications carriers comply with Illinois Statutes and Commission regulations. Finally, I promote and assist in the development and implementation of policy proposals that address current and future 9-1-1 issues in order to ensure that state regulations and statutory requirements are being fulfilled.

**Q. Have you testified in prior Commission proceedings?**

A. Yes.

**Q. What is the purpose of your testimony in this proceeding?**

A. The purpose of my testimony is to address NG-911's ("NG-911") application for a certificate of authority to operate as a 9-1-1 system provider in Illinois. My testimony provides background on the provisioning of 9-1-1 services in Illinois and recent changes in the law affecting 9-1-1 provisioning. More specifically, my testimony addresses whether NG-911 possesses sufficient managerial resources and abilities to provide the network and database services that it seeks authority to provide in a safe, continuous, and uninterrupted manner as required by Section 13-900(c) of the Public Utilities Act<sup>1</sup>. Given the complexity of provisioning and maintaining 9-1-1 service and the potential consequences to public safety if a 9-1-1 failure occurs, it is vital to ensure that NG-911 will not jeopardize the integrity of 9-1-1 service in Illinois and that any 9-1-1 System that might opt to use NG-911 as a 9-1-1 system provider will have a seamless and transparent transition.

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<sup>1</sup> 220 ILCS 5/13-900(c).

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48 Two additional Staff witnesses will also be providing testimony in this  
49 consolidated docket. Staff witness H.K. “Bud” Green will be providing  
50 testimony as to the technical capabilities of NG-911 as it relates to both the  
51 9-1-1 system provider and competitive local and interexchange carrier  
52 application in Staff Exhibit 2.0. Staff witness Karen Chang will be providing  
53 testimony as to the financial capabilities of NG-911 as it relates to both the  
54 9-1-1 system provider application and competitive local and interexchange  
55 carrier application in Staff Exhibit 3.0.

56

57 **Q. Please describe how provisioning for 9-1-1 services developed in**  
58 **Illinois.**

59 A. Traditionally, 9-1-1 services have only been provided by the incumbent  
60 local exchange carriers (“ILECs”) in Illinois. The ILECs are AT&T,  
61 Frontier, CenturyLink, and Illinois Consolidated Telephone Company.  
62 These carriers are considered to be the 9-1-1 system providers and  
63 provide the project management and much of the infrastructure necessary  
64 to implement and maintain the 9-1-1 network, selective routing and  
65 database management for the 194 9-1-1 systems in the State of Illinois.  
66 The 9-1-1 system provider, as defined in the Emergency Telephone  
67 Systems Act (“ETSA”), is the contracted entity providing 9-1-1 network  
68 and database services.<sup>2</sup>

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<sup>2</sup> 50 ILCS 750/2.18

70 In summary, 9-1-1 provisioning started out as an agreement between the  
71 ILEC providing local exchange service in a particular 9-1-1 jurisdiction and  
72 the authorized 9-1-1 system. Whichever carrier served the county seat of  
73 a given county, or served the majority of the access lines of the county or  
74 municipality, would generally act as the 9-1-1 system provider. This  
75 approach was deemed practical because this carrier already maintained  
76 the majority of the customer database records, which are vital to the  
77 effective provisioning of 9-1-1 service. The carrier would then obtain the  
78 remainder of the records from the other carriers in order to build and  
79 maintain one database for the 9-1-1 system.

80  
81 Additionally, the 9-1-1 system provider typically owned the majority of the  
82 network in that given county or jurisdiction and would easily be able to  
83 connect directly into its own selective router. The 9-1-1 system provider  
84 would then interconnect other carriers' networks into this selective router  
85 as well.

86  
87 Thus, the 9-1-1 system provider basically becomes the project manager  
88 for the 9-1-1 system since the system, as noted above, depends on the 9-  
89 1-1 system provider's selective router and network to route and complete  
90 9-1-1 calls. The 9-1-1 system provider coordinates with each of the  
91 telecommunications carriers in the system and ensures that all the  
92 technical implementation and building of the database is completed on

93       behalf of each carrier who provides telecommunications service in the 9-1-  
94       1 jurisdiction. Accordingly, the 9-1-1 system provider plays an integral role  
95       in the provisioning of 9-1-1 services.

96  
97       **Q.     What has changed in Illinois that resulted in this application being**  
98       **filed with the Commission?**

99       A.     On June 30, 2009, Governor Quinn signed Public Act ("PA") 96-0025 into  
100       law. PA 96-0025 enacted Section 13-900 of the Public Utilities Act which  
101       created a new certification category and authorizes the Commission to  
102       certify entities requesting to provide 9-1-1 services and operate as 9-1-1  
103       System Providers. Any 9-1-1 system provider that was not providing 9-1-1  
104       service on June 30, 2009, must now obtain a Certificate of 9-1-1 Service  
105       Provider Authority if it plans to provide 9-1-1 network and database  
106       services to an authorized 9-1-1 system. Prior to enactment of Section 13-  
107       900, only incumbent local exchange carriers ("ILECs") could serve as 9-1-  
108       1 system providers. The change in law allows competitors, who may not  
109       necessarily function as telecommunications carriers, the ability to enter the  
110       9-1-1 market with new and emerging 9-1-1 service technology.  
111       Furthermore, it allows the current ILECs who have already been  
112       functioning in this capacity to be grandfathered in as 9-1-1 system  
113       providers.

114  
115       **Q.     Has any entity been certified under Section 13-900?**

116 A. No. NG-911 is the first entity to apply to be certified as a 9-1-1 system  
117 provider under the new law. In addition, 9-1-1 services have never been  
118 considered to be competitive in Illinois. Since this is a case of first  
119 impression, it is my opinion that the Commission should be assured that  
120 any entity requesting to be a 9-1-1 system provider under this new law has  
121 the managerial, technical and financial ability to take on this responsibility  
122 given the fact that Illinois residents' health, safety, welfare and property is  
123 at stake.

124

125 **Q. What information did you review to determine the managerial**  
126 **abilities of NG-911?**

127 A. I reviewed the information in NG-911's application, pre-filed testimony, and  
128 data request responses regarding the managerial experience specific to the  
129 provisioning and maintenance of 9-1-1 network and database.

130

131 **Q. Do you believe that NG-911 possesses sufficient managerial resources**  
132 **and abilities to provide network service and database services that it**  
133 **seeks authority to provide in its application for services authority, in a**  
134 **safe, continuous, and uninterrupted manner as required by Section 13-**  
135 **900(c) of the Public Utilities Act?**

136 A. Yes. NG-911's management team has extensive experience in the  
137 emergency communications industry. The president, Mr. Ramsey, has 37  
138 years of experience in the telecommunications industry, both in the United

States Air Force and in private business.<sup>3</sup> In addition, the team appears to have sufficient knowledge of the telecommunications industry and telecommunications carriers in Illinois, including network configuration, trunking, call delivery and equipment interconnection. NG-911 is also a National Emergency Number Association (“NENA”) Next Generation Partner and has been involved in the evolution of NENA standards for Next Generation 9-1-1.<sup>4</sup>

**Q. Do you have any concerns with NG-911’s experience providing 9-1-1 services?**

A. No. Although NG-911 has not provided all three elements (selective routing, network and database management) as a stand-alone 9-1-1 system provider, NG-911 has provided all three elements as a contracted provider for a large Iowa local exchange carrier in four Iowa counties. From approximately 2001 to 2006, NG-911 maintained an ECS-1000 selective router located in Knoxville, IA, owned by Iowa Telecom. Iowa Telecom was the designated 9-1-1 system provider, which contracted with NG-911 to provide daily maintenance and support of the selective routing equipment and software. NG-911 provided daily support activities, including daily database management for one of the four counties. NG-911 has also provided database management (daily updates, service, moves, adds and changes) from carriers as well as the physical

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<sup>3</sup> Pre-filed Testimony of Michael Ramsey at p. 1, lines 9-10.

<sup>4</sup> Petition, III.G.



161 maintenance of the hardware. NG-911 currently provides database  
162 management for Marion, Kossuth, Winnebago, Lucas and Franklin  
163 Counties in Iowa. In those five counties, NG-911 manages data from nine  
164 carriers. NG-911 has also assisted customers with designing their  
165 networks and ordering network elements from telecommunications  
166 carriers.<sup>5</sup>

167  
168 **Q. Are you concerned with NG-911's staffing levels in Illinois regarding**  
169 **support and maintenance functions?**

170 A. No. NG-911 maintains an office in Illinois with one full time employee  
171 located at 307 Mascoutah Ave. in Belleville, IL.<sup>6</sup> In total, NG-911 has ten  
172 direct and contract employees: one in Illinois and nine in other locations.  
173 The one employee in Belleville is a technician who provides installation,  
174 support and maintenance of equipment and software.<sup>7</sup> Mr. Ramsey stated  
175 in his testimony that there are several tiers of support to respond to  
176 maintenance calls: "The first tier of support is via remote access to the  
177 equipment to diagnose and repair a problem. As a second tier of support,  
178 the customers' technical personnel will be trained to work with remote NG-  
179 911 personnel to solve whatever problem exists. The third tier is the  
180 deployment of NG-911 personnel to the customer's site."<sup>8</sup> Personnel can  
181 be deployed from Bellville, IL, (one full time technician) or from

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<sup>5</sup> NG-911 Response to Staff Data Request SR 1.01.

<sup>6</sup> Pre-Filed testimony of Michael Ramsey at pg. 4, lines 18-19.

<sup>7</sup> NG-911 Response to Staff Data Request SR 1.03.

<sup>8</sup> Pre-filed Testimony of Michael Ramsey at pg. 5, lines 8-13.

Williamsburg, IA, (two full time technicians)<sup>9</sup>. In addition, Mr. Ramsey stated that “as NG-911 adds customers, the number and location of maintenance support personnel can be changed; personnel can be added or moved to provide appropriate redundant coverage.”<sup>10</sup>

**Q. Within your opinion, are NG-911’s database management capabilities, including the handling of error resolution with each telecommunications carrier, satisfactory?**

A. Yes. As indicated in the response to Staff Data Request SR 1.05, there are three individuals presently providing daily database maintenance, including error resolution for each carrier. These employees are located in Williamsburg, IA. Also, as mentioned previously, NG-911 has extensive experience providing database management, including daily record updates from telecommunications carriers.

**Q. Did NG-911 request waivers from any 9-1-1 administrative rules or regulations and what were the reasons given for the requests?**

A. NG-911 specifically requested waivers of Sections 725.205(a), (b), (c), (d), 725.210 (b)(2) and 725.210(b)(4) of the Commission’s Administrative rules .<sup>11</sup> In response to Staff Data Request SR 1.02, NG-911 indicated that the applicant requested the waivers because it is in uncharted waters and wanted to err on the side of caution. NG-911 also stated in that same

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<sup>9</sup> NG-911 Response to Staff Data Request SR 1.04.

<sup>10</sup> Pre-filed Testimony of Michael Ramsey at pg. 5, lines 17-19.

<sup>11</sup> 83 Ill. Adm. Code 725 (“Part 725”); Petition, II.D.

data request response that these waivers were requested in case it is considered to be subject to the cited rules. If it is not subject to the rules, then it would withdraw the requested waivers.

**Q. Should NG-911 withdraw the waivers mentioned above?**

A. Yes. The specific waivers mentioned above only pertain to any entity applying for authority to operate an emergency telephone number system in Illinois and not to a 9-1-1 system provider. It is not appropriate or necessary for NG-911 to request waivers of these sections. Therefore, I recommend that either NG-911 withdraw the waiver requests or the Commission decline to grant these waivers.

**Q. Did NG-911 request any other waivers from 9-1-1 rules or regulations?**

A. Yes. NG-911 also requested a waiver of Section 725.101, et seq., in its Application. Mr. Ramsey stated that “the requested waivers are based upon the unique type of services to be offered by NG-911 and the fact that the administrative rules are primarily designed for telecommunications carriers, not 9-1-1 Service Providers.”<sup>12</sup>

At this time, the current Part 725 is the only set of rules with standards of service applicable to 9-1-1 Emergency Systems. Contained within these rules are standards applicable to telecommunications carriers who are

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<sup>12</sup> Pre-Filed Testimony of Michael Ramsey at pg. 9, lines 21-22.

227 acting as 9-1-1 system providers. The current Part 725 does not allow for  
228 competition in 9-1-1 service offerings, nor does it contemplate the  
229 provisioning of Next Generation 9-1-1 services, but there are some basic  
230 technical, operational and reporting requirements that I believe NG-911  
231 should adhere to at this time. I am aware that there are technological  
232 differences, but believe that NG-911 should be ready, willing and able to  
233 satisfy the requirements of Part 725 if the Commission directs it to do so.  
234

235 On May 16, 2012, the Commission opened Docket No. 12-0349 to initiate  
236 a rulemaking to revise Part 725. Staff's proposed rule allows for other  
237 technological advancements to be introduced into Illinois 9-1-1 systems.  
238 Staff's proposed rule has also been reorganized to specifically designate  
239 the roles and responsibilities of each party involved, i.e., the 9-1-1  
240 authority, 9-1-1 system provider, public safety answering point, and  
241 telecommunications carriers. Staff's proposed rule also addresses  
242 requirements of today's traditional telecommunications legacy  
243 environment as well as a Next Generation environment. Several public  
244 workshops, which were attended by NG-911 staff, were held before Staff  
245 drafted its proposed rule. NG-911 also provided suggested language for  
246 the proposed rule.<sup>13</sup>  
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248 Even though NG-911 specifically requested a waiver of 725.101, et. seq.,  
249 NG-911 affirmed, in its Petition under II.B, that it would ensure that 9-1-1

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<sup>13</sup> Petition, III.G.

is handled in accordance with 83 Ill. Admin. Code Parts 720, 725, 726, 727, 728, the ETSA, the Emergency Wireless Safety Act (50 ILCS 751) and any future rules or reporting requirements the Commission may adopt for 9-1-1 system providers. It appears that NG-911 is willing to abide by any future changes the Commission adopts to Part 725; however, I recommend that NG-911 also abide by the current Part 725 to the extent it is applicable to NG-911. As to any other code parts or rules that apply to telecommunications carriers, NG-911 will be subject to them as it will be a telecommunications carrier if its application for competitive local and interexchange service is granted.

**Q. What is the result of NG-911 being granted a certificate of authority to operate as a 9-1-1 System Provider in Illinois?**

A. NG-911 will be authorized to solicit 9-1-1 authorities for the provisioning of 9-1-1 service in Illinois. However, NG-911 would not actually be able to begin serving a 9-1-1 authority until that authority files an application to establish or modify a 9-1-1 system, pursuant to Part 725.200 or 725.210, where NG-911 will act as the 9-1-1 system provider.

**Q. What is your conclusion and recommendation to the Commission?**

A. It is my opinion that NG-911 has the managerial capabilities and resources to qualify for both certificates of authority to operate as a 9-1-1 system provider, a competitive local exchange carrier, and a competitive

273 interexchange carrier in Illinois. Staff witnesses Mr. Green and Ms.  
274 Chang, who testify to the technical and financial abilities of NG-911  
275 respectively, also recommend that both certificates be granted.

276

277 I also recommend that until NG-911 actually contracts with a customer to  
278 provision 9-1-1 service, the Commission should reserve the right to revisit  
279 and review the financial resources of NG-911 to ensure that safe,  
280 continuous and uninterrupted service will be administered. This would  
281 occur when a 9-1-1 Authority files an application to establish or modify a  
282 9-1-1 system where NG-911 would act as the 9-1-1 system provider as  
283 mentioned above.

284

285 In addition, should the 9-1-1 system provider certification be granted, I  
286 recommend that Commission's 9-1-1 Program Manager be notified of any  
287 staffing changes regarding 9-1-1 personnel in or assigned to Illinois,  
288 including the applicable contact information for these personnel. NG-911  
289 should commit to notifying the Commission's 9-1-1 Program Manager of  
290 all such changes on a going-forward basis.

291

292 **Q. Does this conclude your testimony?**

293 **A.** Yes, it does.